City of Lafayette Staff Report

For:	City Council
By:	Sarah Allen, Planning Intern Niroop K. Srivatsa, Planning & Building Services Manager
Date Written:	August 28, 2008
Meeting Date:	September 8, 2008
Subject:	**ZT01-08** Amending Section 6-984 of the Lafayette Municipal Code to allow medical uses within the C-1 zoning district with approval of a land use permit.

Summary
The Planning Commission has requested that staff initiate a zoning text amendment to allow medical uses within the C-1 zoning district with a land use permit.

Background/History
Staff has received a number of requests from doctors to locate their practices in the C-1 district. Currently medical uses are not permitted in the C-1 zoning district (with limited exceptions pursuant to Sections 6-997 and 6-983 (j) e.g. Corporate Terrace, Golden Gate Way).

On August 7, 2008 the Planning Commission considered a request from a local doctor to determine that medical use is a compatible use in the C-1 district. The Commission found that in some cases medical use in the C-1 district may be appropriate and directed staff to initiate a Zoning Text amendment to incorporate medical use under Section 6-984 LMC "Uses requiring a permit".

Councilmember Tatzin has relayed to staff that the original reason for not allowing medical use in this zoning district was fear that it may displace commercial sales-tax generating businesses that sell goods which were larger than what would typically be sold in the SRB zone. This is a valid point and should be adequately addressed during the review of a land use permit. One of the findings required to obtain a land use permit is as follows: "the proposed land use will not adversely affect the preservation of property values and the protection of the tax base within the City". Another solution might be to prohibit medical use on the ground floor of buildings in the C-1 district.

Definition of Use
According to Section 6-430 LMC, "Medical Service Activity" means the provision of therapeutic, preventative or corrective personal treatment services by physicians, dentists and other medical practitioners, and includes medical testing and analysis services.

9A

General Commercial District - 1
The purpose of the C-1 district is to allow and enhance opportunities for commercial uses which may not be compatible in other locations due to required site size, delivery and customer access, or external impacts associated with the use. The C-1 district also provides for the separation of uses permitted in the retail core and those permitted elsewhere in the business districts.

Staff Analysis
Medical use is currently restricted to the General Commercial district (C) and the Golden Gate Way area of the C-1 district. Staff and the Planning Commission have determined that medical use is appropriate in some instances in the C-1 district. During the process of a Land Use Permit application, the request is analyzed for parking requirements, compatibility with surrounding uses, and overall consistency with the General Plan. This change to the Municipal Code will allow the City to maintain control over the factors that may be detrimental to the C-1 district while still remaining flexible to allow medical uses that are suitable.

Recommendation
Direct Staff to initiate a Zoning Text Amendment to allow medical use with a land use permit in the C-1 zoning district.

Attachments
C-1 zoning
August 7, 2008 Planning Commission Staff Report

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C-1

General Commercial District 1

6-981	General.
6-982	Purpose.
6-983	Uses permitted.
6-984	Uses requiring a permit.
6-985	Lot area.
6-986	Lot width.
6-987	Lot depth.
6-988	Height.
6-989	Third story for residential use.
6-990	Setback.
6-991	Minimum side and rear yards.
6-992	Off-street parking and loading.
6-993	Repealed.
6-994	Access from residential street.
6-995	Design review.
6-996	Modifiable sections.
6-997	Special use provisions.

NOTE: The City has other regulations, which may affect individual properties, including, but not limited to hillside development, structures over 17-ft. in height, development in excess of 6,000 sq. ft., tree protection, grading, and public art. Please review the Project Checklist available on the City of Lafayette web site at www.lovelafayette.org for an overview of regulations that might apply. You may consult Planning Services Division staff to ascertain which rules and regulations apply to any given project.

General Commercial District

6-981 General.

All land in the general commercial district 1 (map symbol C-1) shall be used in accordance with the provisions of this article. (Ord. 245 § 4 (part), 1981)

6-982 Purpose.

(a) The purpose of this article is to provide for, and enhance the opportunities for, and protect existing establishments offering a variety of supplies or services which are essential to the economy of Lafayette but which are frequently incompatible with the operations of a retail shopping area because of their need for a large site, access by delivery and customer vehicles, open display or storage yards, and propensity to produce limited but tolerable external impacts. Such uses ordinarily do not seek locations in shopping areas and therefore must be provided for at independent locations along a major thoroughfare, away from the retail core area.

(b) This article is to provide for the implementation of the general plan which encourages the separation of uses permitted in the retail core area and those permitted elsewhere in the business districts.

(Ord. 245 § 4 (part), 1981)

6-983 Uses permitted.

The following uses may be conducted as a matter of right in the C-1 district, without the need for a land use permit. However, a land use permit (under Sections 6-215 and 6-531) is required if the proposed use will result from the conversion of a residential use of the property.

(a) Animal care, commercial;

(b) Business and communication service;

(c) General commercial sales and service where the total floor area of a building or yard area, not including areas used for parking or landscaping (whenever the primary activity is not conducted within a building), or the combination thereof, is less than 7,500 square feet in size;

(d) General personal service;

(e) Limited child care;

(f) Self-service laundry and retail dry cleaners which comply with Section 6-532;

(g) Fast-food restaurant without drive-thru, drive-up and pass-thru window service;

(h) Home/business furnishings;

(i) General retail sales, only in the Brown Avenue area, shown on Figure 6-983;

(j) Medical services, only in the Golden Gate Way area, shown on said Figure 6-983.

(Ord. 359 § 6(A), 1987: Ord. 245 § 4 (part), 1981)

6-984 Uses requiring a permit.

The following uses are permitted in the C-1 district on the issuance of a land use permit:

(a) Administrative civic;
(b) Automotive sales, rental and delivery;
(c) Automotive servicing;
(d) Auto repair and cleaning;
(e) Commercial automotive fee parking;
(f) Commercial laundry or dry cleaning;
(g) Commercial recreation;
(h) Community assembly and education activity;
(i) Construction sales and service;
(j) Convenience market;
(k) Day-care and educational service;
(l) Fast-food restaurant with drive-thru, drive-up or pass-thru window service;
(m) Full-service restaurant;
(n) General commercial sales and service, where the total floor area of a building or yard area, not including areas used for parking and landscaping (wherever the primary activity is not conducted within a building), or the combination thereof, is 7,500 square feet or more;
(o) General food sales;
(p) Light manufacturing and research;
(q) Real estate service;
(r) Residential dwelling units;
(s) Hotels and motels;
(t) Undertaking service;
(u) Utility distribution and civic service;
(v) Firearm sales;
(w) Uses which the planning commission has found, after notice and hearing, to be comparable to the above uses or which can be determined to be compatible with the uses and purpose of the C-1 district. The concept of consolidation of several retail core area uses into a single complex (department store) which subverts the purpose of separation and distinction between the retail business district and/or the special retail business district and the C-1 district is not permitted.

(Ord. 433 § 8, 1994: Ord. 359 § 6(B), 1987: Ord. 245 § 4 (part), 1981)

6-985 Lot area.

No new lots may be created in the C-1 district smaller than 7,500 square feet in size. (Ord. 245 § 4 (part), 1981)

6-986 Lot width.

No new lots may be created in the C-1 district with an average width of less than 55 feet. (Ord. 245 § 4 (part), 1981)

6-987 Lot depth.

No new lots may be created in the C-1 district with a depth of less than 75 feet. (Ord. 245 § 4 (part), 1981)

6-988 Height.

No buildings or other structures permitted in the C-1 district shall exceed 35 feet in height, nor two and one-half stories, except as allowed for number of stories by Section 6-989 of this chapter. (Ord. 245 § 4 (part), 1981)

6-989 Third story for residential use.

Notwithstanding any other provisions of this article, a third story for a building may be approved under the land use permit procedure (Section 6-215) when that third-floor area is to be used exclusively for residential use. The three-story building shall be reviewed so as to ensure that its height and proportions are consistent or compatible with other buildings in the vicinity, or that it is favorably located in relation to topographic conditions in a manner that visually attenuates its height. No part of the third-floor portion of the building shall be located within 50 feet of the right-of-way, or planned right-of-way, lines of Mt. Diablo Boulevard, First Street, Golden Gate Way, Dyer Drive, Highway 24 or Pleasant Hill Road; nor within 50 feet of the boundary of any residential zone. The number of parking stalls for the residential units provided on the third floor need not meet the minimum number of parking stalls required for other residential units in the C-1 district. The number of parking stalls required will be determined by the planning commission in consideration of the cumulative parking needs of all the uses on the subject property. (Ord. 245 § 4 (part), 1981)

6-990 Setback.

There shall be a landscaped setback of at least ten feet from any street line for any structure in the C-1 district. No parking shall be allowed in the required setback. Setbacks for third-story portions of buildings shall be regulated by Section 6-989. (Ord. 245 § 4 (part), 1981)

6-991 Minimum side and rear yards.

Where the site is adjacent to residentially zoned property, or to a single parcel not zoned residential but containing four or more dwelling units, there shall be a ten-foot landscaped setback along that entire property line. Side and rear yard setbacks for third-story portions of buildings shall be regulated by Section 6-989. (Ord. 245 § 4 (part), 1981)

6-992 Off-street parking and loading.

(a) Off-street parking and loading facilities for the uses in the C-1 district shall be provided in accordance with Chapter 6-6 of this title except that the required number of off-street parking spaces for new residential units is as follows:

(1) One-bedroom units, 1.0 space per unit;

(2) Two-bedroom units, 1.2 spaces per unit;

(3) Units with three or more bedrooms, 1.5 spaces per unit.

(b) In addition, one guest parking space shall be provided for each five dwelling units. A minimum of one parking space per unit shall be covered.

(c) Parking for the third-floor residential use shall not be required to provide the number of parking stalls defined in this section (see Section 6-989).

(Ord. 245 § 4 (part), 1981)

6-993 Repealed by Ordinance 359.

6-994 Access from residential street.

Any use on a lot which has street frontage on more than one street, one street of which has a right-of-way of 55 feet or less and forms the common boundary between a district of any residential classification and the C-1 district, shall not be permitted to gain vehicular access from the residential street. (Ord. 245 § 4 (part), 1981)

6-995 Design review.

No building, sign or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposals have been approved pursuant to the design review requirements set forth in Part 1 of this title. (Ord. 324 § 2(e) (part), 1984: Ord. 245 § 4 (part), 1981)

6-996 Modifiable sections.

Land use permits for special uses enumerated in Section 6-984 and variance permits to modify the provisions of Sections 6-985 to 6-992 may be granted in accordance with the applicable provisions of Chapter 6-1 of this title. (Ord. 245 § 4 (part), 1981)

6-997 Special use provisions.

(a) The provisions of this section apply to any parcel of land in the C-1 district for which a building permit for a principal structure was issued during the period of the office moratorium for the C zoning district, May 14, 1979 to May 14, 1981, inclusive. It is the intent of this section to supersede and clarify any land use authorizations, restrictions or prohibitions which may have been attached to, or implied by, any approvals of land use entitlements which led to the issuance of building permits for principal structures on land in this district during the moratorium period.

In addition to the uses authorized in Sections 6-983 and 6-984 of this article, for such parcels of land the uses enumerated in this section are authorized, provided that they are established only in the buildings or portions of buildings which were designed and constructed for general office uses.

(b) Uses permitted, in addition to those listed in Section 6-983, are as follows:

(1) Administrative;

(2) Consultative service;

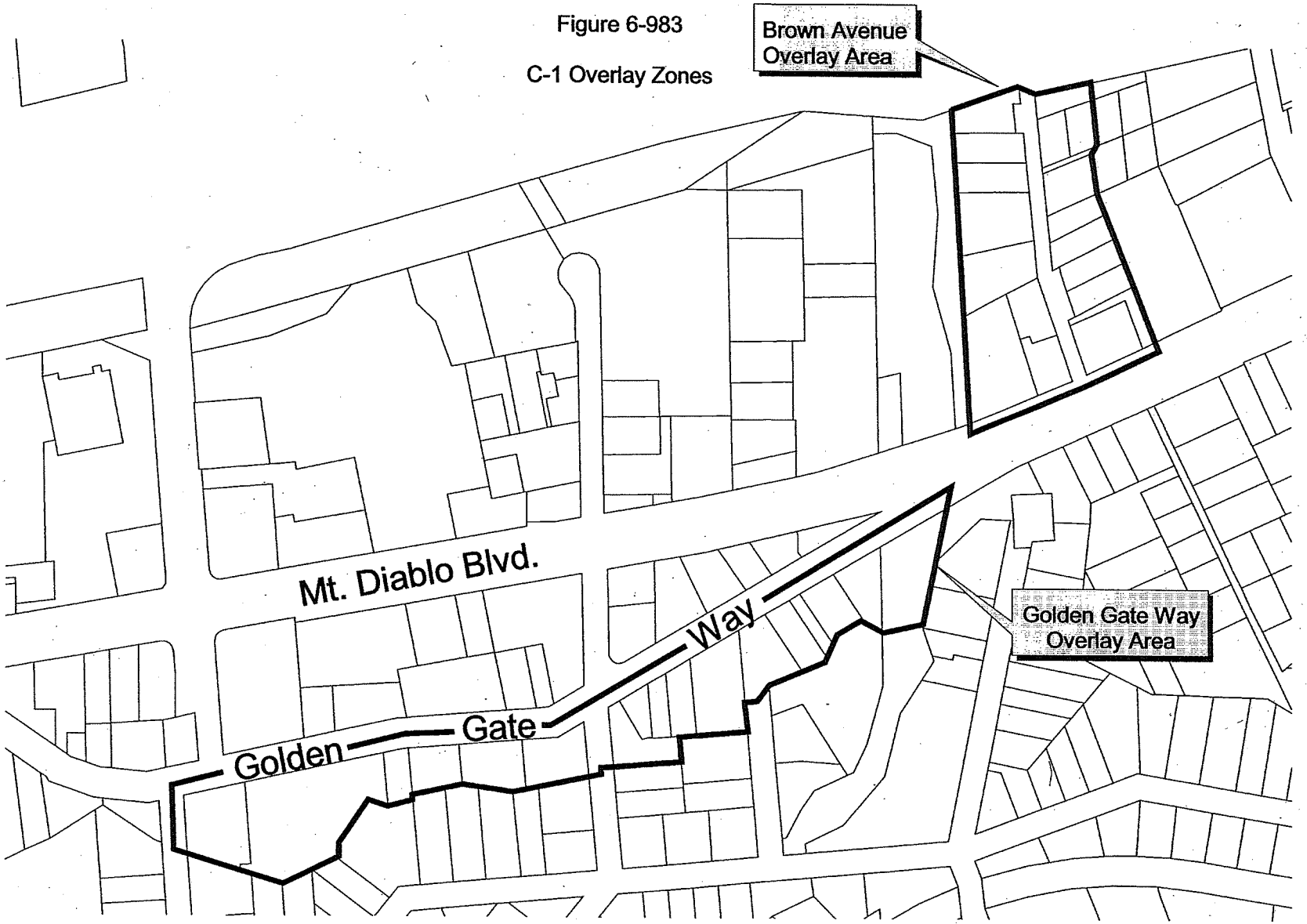
(3) Medical services occupying up to 10,000 square feet of building area. Any medical services that would increase the area used beyond 10,000 square feet on that parcel shall be subject to a land use permit.

(c) Notwithstanding the fact that the uses listed in subsection (b) of this section are nonconforming in the C-1 district generally, said uses are conforming and fully authorized in eligible buildings on any parcel of land which is subject to the provisions of this section.

(Ord. 401 § 1, 1992: Ord. 269 § 1, 1982)

Figure 6-983

C-1 Overlay Zones



City of Lafayette Staff Report

For:	Planning Commission
By:	Sarah Allen, Planning Intern Niroop K. Srivatsa, Planning & Building Services Manager
Date Written:	July 30, 2008
Meeting Date:	August 7, 2008
Subject:	**M10-08 KIRK JENSEN (APPLICANT & OWNER) C-1 ZONING**: Request to consider if orthopedic use is compatible in the C-1 zoning district pursuant to Section 6-984(w) of the Lafayette Municipal Code.

Summary of Request

The applicant is requesting to locate a shoulder clinic and sports rehabilitation practice in the office complex at 3390 Mt. Diablo Blvd. which is in the C-1 zoning district and seeks the Planning Commission's direction on whether or not it can find this use to be consistent with Section 6-984(w) of the Lafayette Municipal Code which states:

> "§6-984(w) - Uses which the planning commission has found, after notice and hearing, to be comparable to the above uses [uses requiring a land use permit] or which can be determined to be compatible with the uses and purpose of the C-1 district. The concept of consolidation of several retail core area uses into a single complex (department store) which subverts the purpose of separation and distinction between the retail business district and/or the special retail business district and the C-1 district is not permitted."

If the Commission agrees with the applicant, an application for a land use permit will be filed with the City.

Site Location and Conditions

The office is located on the corner of Stuart Street and Mt. Diablo Blvd. The 4,000 sq. ft. office proposed to be used by the applicant is currently occupied by a physical therapy clinic which is planning to relocate to the former Washington Mutual Home Loan office space. The parcel contains two existing two-story buildings and a shared parking area north of and between the buildings. The building addressed 3390 Mt. Diablo Blvd. currently houses a physical therapy use and a real estate use on the first floor; the second floor is vacant. The other building on the parcel houses an animal hospital on the first floor and three residential units on the second floor. During a site visit on July 30, 2008 staff counted 75 off-street parking stalls.

Background/History
As the services provided are performed by medical professionals, orthopedics has typically been classified as medical use by the City and is not permitted in the C-1 zoning district (with limited exceptions pursuant to Sections 6-997 and 6-983 (j) e.g.Corporate Terrace, Golden Gate Way). The subject property does not qualify for these exceptions.

In 2004 the Planning Commission reviewed a request by Peter Shutts to allow a physical therapy use in the subject office building (3390 Mt. Diablo Blvd.). The Commission determined that physical therapy was a general personal service use which is allowed by right in the C-1 district. Previously physical therapy was considered a medical use.

Other relevant applications on the subject parcel include:

RZ2-81: In 1981, the Planning Commission denied the request for a zone change from C-1 (General Commercial) to P-1 (Planned District). The request for P-1 zoning was to allow a financial use to be located in this business district, which is otherwise not allowed. The matter was appealed to the City Council, however the appeal was denied.

L8-85: In 1985, the Planning Commission approved the request for land use permit to construct three buildings to contain an animal hospital and residential use, an automotive sales building, and automotive service center subject to conditions of approval. As part of this application a variance to reduce the required number of parking spaces was approved.

L11-86: In 1986, the Planning Commission approved the request for land use permit for a mixed use (AAA auto club) subject to conditions of approval.

DR32-87: In 1987, the Planning Commission approved the request for design review approval for the building with an auto club use and for a variance to reduce the setback from the public right-of-way from 10 ft. to 5 ft., subject to conditions of approval.

L16-02: In 2002, the Planning Commission approved the request for land use permit for a real estate use (ReMax Accord) on the ground floor, subject to conditions of approval.

L05-03: In 2003, the Planning Commission approved the request for land use permit for real estate use (Washington Mutual Home Loans) on the second floor

Description of Use
The applicant has identified that no surgical procedures will take place in the office. The use will primarily consist of patient consultation with physicians, x-ray, and casting services. The applicant has indicated that patients will be seen on an appointment basis only; there will be no walk in customers or emergency services provided at the facility.

Compatibility with the Lafayette Municipal Code (LMC)
Zoning
Medical use is not permitted by right or with a land use permit in the C-1 zoning district, with certain limited exceptions, as previously mentioned. The purpose of the C-1 district is to allow

and enhance opportunities for commercial uses which may not be compatible in other locations due to required site size, delivery and customer access, or external impacts associated with the use. The C-1 district also provides for the separation of uses permitted in the retail core and those permitted elsewhere in the business districts.

Parking

As required by Section 6-641 (bb) of the LMC Medical Service activity requires 1 parking space per 200 sq. ft. of net floor area; general personal service requires 1 parking space per 250 sq. ft. of net floor area. Using the gross floor area of the existing office (4,000 sq. ft.) and the parking ratio required for medical use, not more than 20 parking spaces would be required to be designated to the orthopedic use.

Staff has identified 75 off-street parking spaces. Without additional information regarding the net square footage of each office and the respective uses, staff is unable to determine if this office complex meets the criteria set forth in the chapter 6-6 LMC. This information would be required of the applicant during a land use application should the Planning Commission find that an application for a land use permit is appropriate.

Staff Analysis

After reviewing the letter submitted by the applicant, staff concludes that the proposed facility falls under the category of medical use. Similar to other doctors' offices in Lafayette located on Moraga Road and Dewing Avenue; the doctors in this facility would see patients on an appointment-only basis. It is our understanding that in addition to the doctors' examination rooms, the facility would also have x-ray rooms. The parking requirements would be 1 parking space per 200 sq. ft. of net floor area. A medical use is not allowed in the C-1 zoning district except for the Golden Gate Way area and the Corporate Terrace complex on Mt. Diablo Blvd.. To locate a medical use elsewhere in this zoning district would require a zoning text amendment and not a land use permit. The Downtown Strategy scheduled for completion by year's end will provide more direction on the types of uses that will be allowed in the East End. It is staff's recommendation that no changes to the downtown zoning districts be made until the Strategy is completed.

Recommendation

Staff recommends the Planning Commission find orthopedics a medical land use and remain consistent with the zoning code by not permitting medical uses in the C-1 district at this time.

Attachments

1. Letter from Kirk Jensen received July 28, 2008
2. City GIS Maps of subject parcel
3. Photos taken by Staff July 30, 2008

EAST BAY SHOULDER CLINIC AND SPORTS REHABILITATION, INC.
Kirk L. Jensen, M.D.

12 Camino Encinas, Suite 10
Orinda, California 94563
(925) 254-5622 • Fax (925) 254-7390

80 Grand Avenue, Third Floor
Oakland, California 94612-3743
(510) 238-1461 • Fax (510) 444-0729

RECEIVED
JUL 28 2008
CITY OF LAFAYETTE
PLANNING DEPT.

City of Lafayette
Planning services division
3675 Mt. Diablo Blvd., Suite 210
Lafayette, CA 94549

Date: July 25, 2008

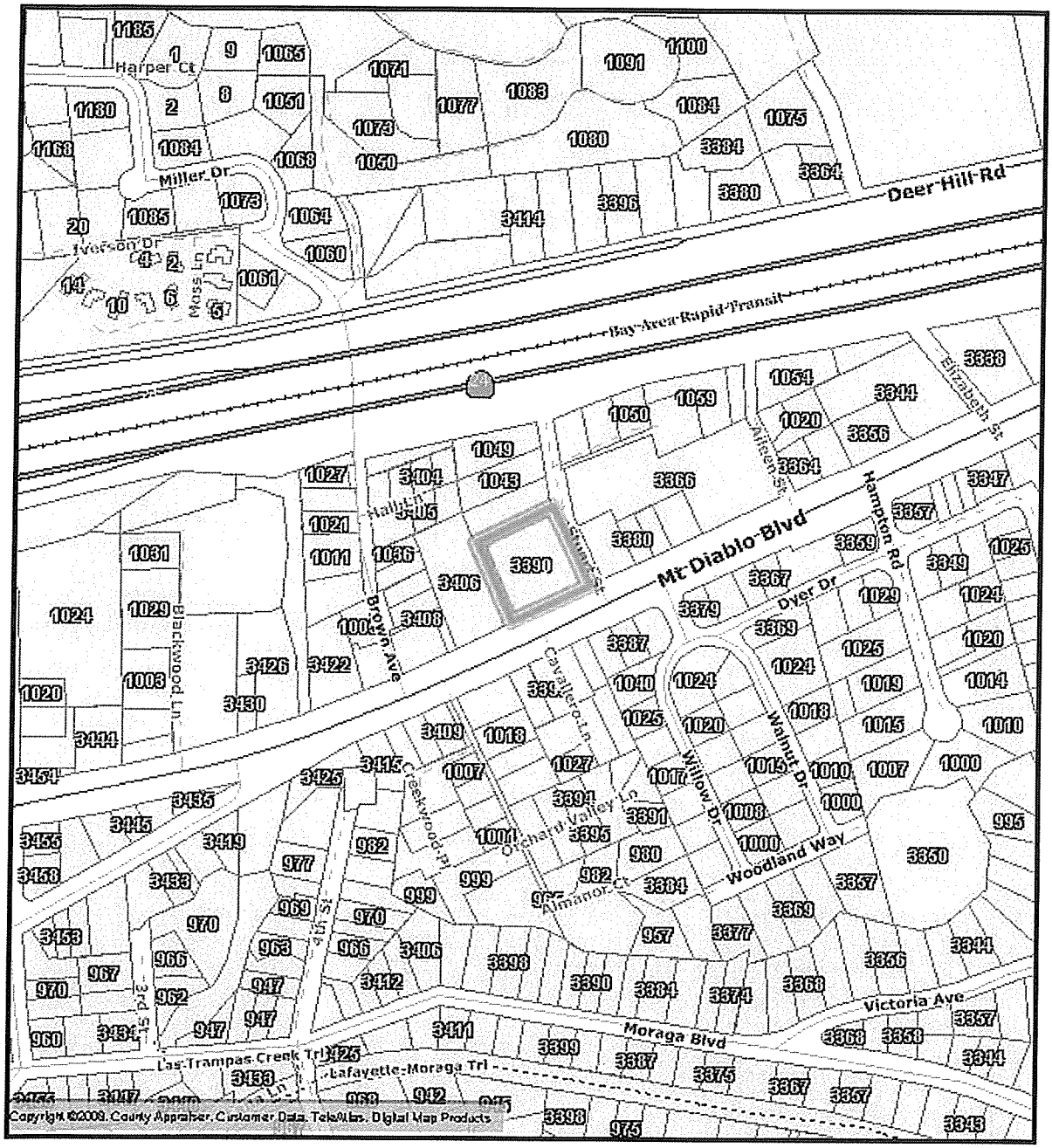
To Whom It May Concern

Re: 3390 Mt Diablo Blvd Office Space Zoning

East Bay Shoulder Clinic and Sports Rehabilitation is a corporation comprised of Orthopedic Surgeons. We are trying to relocate to the above location from our current office in Orinda. Our company provides office visits for patients with orthopedic problems only, no surgical procedures or services are to be performed at this address. We do not provide emergency services and our patients are seen as scheduled appointments; therefore, the flow of patients is continuous and controlled. Adjacent to the proposed office space is a physical therapy facility that has been at this site for approximately 5 years and provides services to many of our patients. We have a very strong professional association with this physical therapy group and would like to continue contributing to their success. Many of our patients are from the Lamorinda community and we provide orthopedic care for many of the athletes from the community schools and St. Mary's College. This Orthopedic practice has been part of the community for almost 50 years and hopefully the city planning division can help us continue to provide excellent convenient orthopedic services.

Respectfully

Kirk L. Jensen, MD
President/Owner



3390-3396 Mt. Diablo Blvd.

APN 233-032-025

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CityGIS

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3390-3396 Mt. Diablo Blvd.

APN 233-032-025

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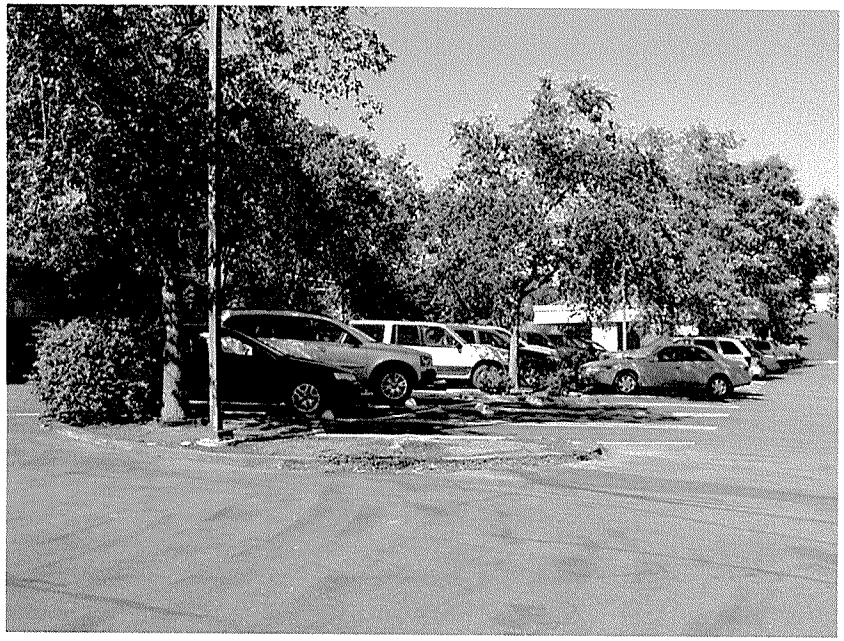
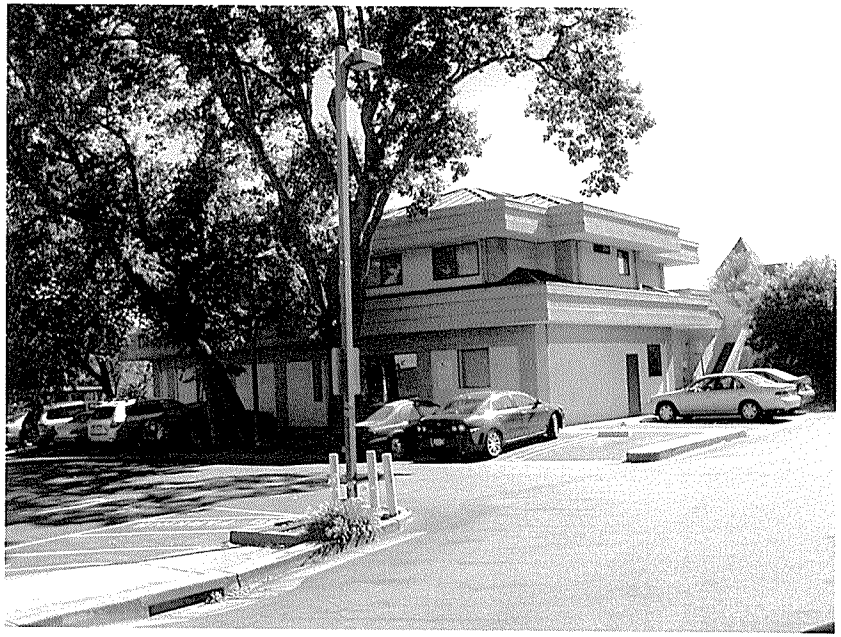


M10-08 Date of Photos: July 31, 2008 Photo 1

M10-08 Date of Photos: July 31, 2008 Photo 2

M10-08 Date of Photos: July 31, 2008 Photo 3



M10-08 Date of Photos: July 31, 2008 Photo 4

Chair Mitchell asked Commissioner Holt to clarify his recommendation to support Mr. Atwood's request.

Commissioner Holt stated that it is difficult site and it is difficult to envision. He suggested that the neighbors, the applicant and staff should attend the meeting and the Commission would rely on staff to relay the information.

Commissioner Chastain said he is leaning toward the 25' setback and thinks the variance findings could be made. He said the residence is in the normal range of the houses on the street. He does not think the home would be an intrusion to the road or the neighborhood context. He likes that the 25' setback takes less trees and has fewer impacts on the site. He said he would like to see more information about the building mass. He noted that if the applicant provides a visual analysis of the mass it will help determine if it needs to be reduced. He said it is difficult set up the constraints for the project and not know the whole design. He said the 25' setback is the site he is comfortable with.

Chair Mitchell asked staff if the setback cold be in between the 25' and 50' that have been discussed.

Ms. Coburn agreed and indicated the Commission could provide direction to the applicant if they would like to see alternatives explored.

Commissioner Holt asked if the setback has to be the same or if it can sinuate.

Ms. Coburn noted that it does not need to be the same for the entire setback.

Chair Mitchell noted that there is a home that feels pretty close to the street and it is a small home. He said he hopes the road gets get improved. He indicated that he does not see the setback as a 25' or a 50' issue and he hopes the applicant can find a middle ground. He said 25' is still too close. He noted that the variable is the size of the structure; as it becomes smaller it is able to be manipulated it and still preserve outdoor living space without massive retaining walls. He said he is hopeful the architect can preserve as many trees as possible. Chair Mitchell asked for staff to respond to the idea of setting up a neighborhood meeting.

Ms. Coburn stated staff would be happy to make arrangements with the neighborhood association for a joint meeting with the applicant and that can be done before the next meeting.

Commissioner Chastain summarized the Commissions comments by stating that there is some concern about the 25' setback and that he applicant should explore the options in between 25' and 50'. He said there is some consensus that moving it closer to the road is a good idea for the reduced impact on trees. He said the Commission would like to see some sort of visualization for the size of the home and generally there is concern regarding the size and its impact on the site.

Chair Mitchell noted that the Commission is not in favor of sites A or C.

Vice Chair Lovitt reiterated his concern about height closer to the road and he would like to see that demonstrated because it will be taller than the neighboring house. He requested story poles.

Commissioner Chastain said the applicant could also use digital modeling to show the mass and height.

Commissioner Ateljevich moved to continue the matter to September 4, 2008 to allow the applicant to respond to the Commissions comments. Commissioner Holt seconded the motion which carried (5-0-0).

OTHER BUSINESS

M10-08 KIRK JENSEN (APPLICANT & OWNER) C-1 ZONING: Request to consider if orthopedic use is compatible in the C-1 zoning district pursuant to §6-984(w) of the Lafayette Municipal Code. **Recommendation**: Staff recommends the Planning Commission find orthopedics falls within the "Medical" land use classification which is not permitted by right or by land use permit in the C-1 zone. **Project Planner**: Sarah Allen, Tel.(925) 299-3208, sallen@lovelafayette.org

Niroop Srivatsa gave an oral staff report stating that the City had received a request from East Bay Shoulder Clinic and Sports Rehab to consider the proposed medical use under the land use permit section

of the C-1 zoning district under section (w) which states that the Commission finds the use compatible with the district. She said the use proposed is a medical office where doctors would see patients on an appointment only basis. She said staff has determined that the proposed is a medical use and the zoning ordinance restricts medical use to the MRO districts and certain buildings in the C-1 district. She said the ordinance has been consistently enforced over time. Ms. Srivatsa indicated that the Downtown Strategy will remove some of the restrictions for certain uses within the various districts. She stated that staff is recommending that the Commission not take action on the request at this time because it would require a zoning text amendment to include medial uses in the C-1 zone.

Vice Chair Lovitt asked if there is any other way to resolve the issue short of a zoning text amendment.

Commissioner Ateljevich asked what the physical therapy use was considered.

Ms. Srivatsa noted that it was considered a general personal service.

Commissioner Ateljevich asked why sports rehabilitation would not be considered a general personal service. She said that the subject building was always non-conforming and that the proposed use seems to be a good fit for the location.

Ms. Srivatsa agreed but noted that this is considered a medical facility and the City has turned away many other doctors from the C-1 district because the ordinance does not allow it. She suggested the Commission be consistent with that practice and that when the zoning ordinance is revised after the downtown strategy this use can be incorporated.

Commissioner Ateljevich asked why the Commission should wait for the strategy when they know they want to make this change.

Ms. Srivatsa noted that it is not necessary to wait, but a zoning text amendment would need to be requested.

Vice Chair Lovitt asked if the applicant would be willing or able to wait the amount of time required to process the zoning text amendment.

Dr. Jensen stated it is difficult. He noted that he did not see where the ordinance prohibits medical uses.

Ms. Srivatsa pointed to the special use provision.

Commissioner Ateljevich stated that it was parking and traffic that originally compelled the City to restrict medical use in this zone and there was concern that large hospitals would come in.

Dr. Jensen asked how long the text amendment would take.

Chair Mitchell stated the best-case scenario is four months.

Commissioner Ateljevich moved that staff begin initiation of a zoning text amendment to permit in medical uses as a conditional use in the C-1 zone. Vice Chair Lovitt seconded the motion, which carried (5-0-0).

Commissioner Ateljevich requested that the process move as speedily as possible.

DRC Liaison Assignments – August - December 2008. The draft policy on PC liaisons at DRC meetings will be placed on the August 21st agenda.

Ms. Srivatsa read the draft agenda for the next design review commission meeting.

Commissioner Ateljevich noted that visibility was a big issue for the Amen application and there should be a liaison at the meeting. She also said the Hoedel Court houses should be watched for conformance to setbacks.

Chair Mitchell asked if the Amen application could be moved to the beginning of the agenda.